

PLANNING COMMISSION

staff report

Date - June 7, 2005

File - LUP 05-500-001 Goetting Large Family Day Care

Project Planner: Cindy M. Yee, Associate Planner

Recommended Action: Discuss and Deliberate. If appropriate, approve the application and adopt Resolution No. 09-05.

I. INTRODUCTION

A. Request

The applicant is requesting approval of a land use permit to operate a large family day care facility serving up to fourteen (14) children within an existing residence. The approval of a land use permit, if granted, would bring the existing large family day care into conformance with the zoning code which requires such operations to obtain a large family day care land use permit.

B. Location

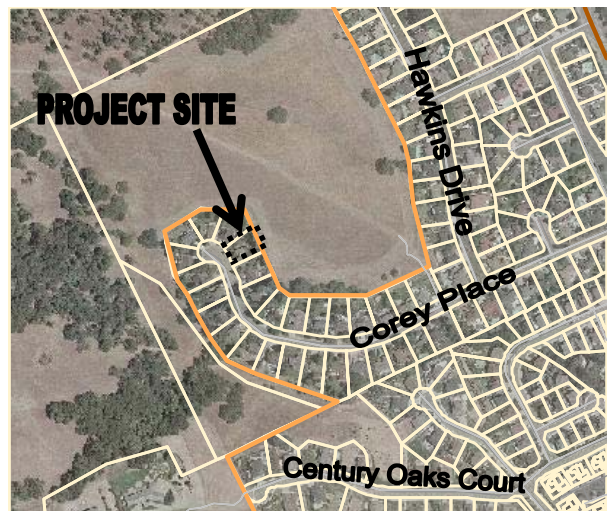
The project site is at 2653 Corey Place (APN: 211-060-011).

C. Applicant

Rachel Goetting
2653 Corey Place
San Ramon, CA 94583

Owner

Charles & Rachel Goetting
2653 Corey Place
San Ramon, CA 94583



II. DISCUSSION

On May 3, 2005, after consideration of the project, staff report, the applicant's testimony, and public testimony, the Planning Commission closed the public hearing and deliberated on two project issues presented by Mr. Robert duPont, an adjoining neighbor:

- 1) The noise impact of the child care on adjoining properties during outdoor play times.

AGENDA # _____

- 2) The unavailability of street parking and hazardous parking within the cul-de-sac due to the parking of the applicant's personal and day care related vehicles on Corey Place.

The Planning Commission continued the item to June 7, 2005 and directed the applicant and Mr. duPont to meet together before June 7th and discuss a compromise on the issues presented at the public hearing. The Planning Commission requested a status report of the neighbors' meeting at the June 7th Planning Commission meeting.

Per the Planning Commission's request, the applicant and Mr. duPont met on Tuesday, May 10, 2005 to discuss the project issues. Based on a letter signed by the Goettings and the duPonts received on June 2, 2005, it appears that the applicant and Mr. duPont have come to a mutual agreement to resolve the outstanding issues. According to the letter, the agreement reached between the two parties are as follows:

- 1) The day care will not have outside playtime between noon and 3:00 PM and in return, the play area will not have to be relocated.
- 2) The Goettings will not be required to park vehicles in their garages as long as:
 - a) The employee and residence vehicles are all parked on their premises during the day care's business hours; and
 - b) The spaces immediately in front of the Goetting's house are used as the pick up and drop off spaces by their clients; and
 - c) The Planning Commission is satisfied that this compromise meets ordinance requirements.

Staff's understanding is that the day care business has already revised the playtime to the newly agreed upon schedule and that this schedule is working very well. Additionally, the Goetting's recreational vehicle has been moved off-site which has opened another on-site parking space in the driveway area.

To direct the Planning Commission's discussion, staff has provided conditions 17 through 19 on page 2 of Exhibit A for the Commission's review. Should the Planning Commission determine that the above-mentioned items have been resolved to the Commission's satisfaction, staff recommends that the Planning Commission adopt Resolution No. 09-05, subject to the applicant and Mr. duPont's letter and the conditions of approval.

III. MOTION

Staff has provided the following motions for consideration by the Commission:

It was moved by Commissioner ____ and seconded by Commissioner ____ that the Planning Commission requests the applicant to provide more information and continues the item to a date certain.

-OR-

It was moved by Commissioner ____ and seconded by Commissioner ____ that the Planning Commission approves LUP 05-500-001 authorizing the applicant to establish a large family day care facility and adopt Resolution No. 09-05 with Conditions of Approval as amended.

IV. ATTACHMENTS

- A. Vicinity Map
- B. DRAFT Resolution No. 09-05
- C. Exhibit A - Conditions of Approval
- D. Exhibit B - Letter of Application, Site Plan, and Floor Plan, dated March 14, 2005
- E. Letter from the Goetting and duPont Families, received June 2, 2005

05srpc.051 LUP 05-500-001 Goetting Large Family Day Care 2653 Corey Place 2nd Hearing